

REMARKSa. Failure To Comply With 37 CFR 1.121(c)

Claims 24, 34, and 43 were found not to be in compliance with 37 CFR 1.121(c) because claims 24, 34, and 43 were previously canceled, and claims that are canceled cannot be remade into new claims. In this response, Applicant has canceled claims 24, 34, and 43 and added new claims 68, 69, and 70 which comprise the previously submitted claims 24, 34, and 43. Claims 24, 34, 43, 68, 69, and 70 are now believed to be in compliance with 37 CFR 1.121(c).

b. Rejections

Claims 18-24 and 27-44 were previously pending at the time of the 12/5/2007 Non-Final Office Action. In the 12/5/2007 Non-Final Office Action, Claims 18-21, 23, 27, and 32-40 were rejected as being anticipated by Clark (US 3,819,034). Claims 22, 28, and 44 were rejected under 35 USC 103(a) as being unpatentable over Clark (US 3,819,034) in view of Michelson et al. (US 6,902,060). Claims 30, 31, 42, and 43 were rejected under 35 USC 103(a) as being unpatentable over Clark (US 3,819,034) in view of Carlson (US 3,359,929). Claim 41 was rejected under 35 USC 103(a) as being unpatentable over Clark (US 3,819,034). No prior art was cited for the rejections of claims 24 and 29.

c. Applicant's Response To The Rejections

Applicant respectfully traverses the rejection of independent claim 18 which was rejected as being anticipated by Clark (US 3,819,034). Independent claim 18 requires in part that "each implement comprises a handle attached to a working end, the handle including a first end and a second end, wherein each of the implements includes substantially a same first length comprising

a distance from a bottom surface of the working end to the second end of the handle, and a handle-attachment member releasably securable to the second end of the handle..."

In rejecting independent Claim 18 over Clark, it was argued in the Office Action that reference # 10 of Figure 1 of Clark comprises the handle and reference # 11 of Figure 1 of Clark comprises the working end to which the handle is attached. However, this cannot be for the following reasons:

(1) Independent claim 18 requires in part "a handle attached to a working end". Reference number 11 of Clark is not a working end as stated in independent claim 18. The term "working end" is defined at page 4 of Applicant's specification as "a portion of an implement attached to an end of a handle and capable of performing a function, such as the bristle portion on a broom or the sponge portion of a mop". Further, the meaning of this term is implicit in the phrase "working end" which means an end which is capable of working. Reference number 11 of Clark is simply a male thread 11 at the end of the handle 10 for attaching broom head 15, which is detached during shipping from the male thread 11 of the handle 10. The male thread 11 at the end of the handle 10 is not a working end since it is not capable of performing a function. Rather, the broom head 15 of Clark, with the attached bristles 16, is actually the working end since it is the portion which is capable of doing work. However, the broom head 15, i.e. the working end, of Clark is detached from the handle 10 and therefore does not satisfy the limitation of independent claim 18 which requires "a handle attached to a working end". As such, Clark does not satisfy the limitation of independent claim 18 of a handle attached to a working end. Therefore, independent claim 18 is allowable over Clark.

(2) Further, independent claim 18 requires in part "each implement comprising a handle attached to a working end, the handle including a first end and a second end, wherein

each of the implements includes substantially a same first length comprising a distance from a bottom surface of the working end to the second end of the handle, and a handle-attachment member releasably securable to the second end of the handle..." Since independent claim 18 requires that the handle 10 of Clark include a first end and a second end, the end 11 of the handle 10, which the Examiner has classified as the working end, must also comprise either a first end or a second end. Further, since independent claim 18 requires that the handle is attached to the working end, the end 11 must not only comprise the working end (as argued by the Examiner) and either the first end or the second end, but must further comprise the handle to which the working end is attached. It is improper for the Examiner to categorize end 11 of Clark as each of the first end or second end, the working end, and the handle to which the working end is attached. This simply cannot be. As such, for these additional reasons, Clark does not satisfy the limitation of independent claim 18. Therefore, independent claim 18 is allowable over Clark.

As a result, independent claim 18 is believed to be allowable. Allowance of independent claim 18 is respectfully requested. Dependent claims 19-23, 27-33, 35-42, 44, and new claims 68-70 (which comprise old claims 24, 34, and 43) each depend from independent claim 18, add additional limitations, and are also believed to be allowable. Allowance of these claims is also requested.

New dependent claims 71-74 have been added to depend from independent claim 18. The new dependent claims 71-74 add additional limitations and are also believed to be allowable. Allowance of these claims is also requested.

For the reasons discussed above, Applicant respectfully requests that a timely Notice of Allowance be issued in this case for pending claims 18-23, 27-33, 35-42, 44, 68-70, and 71-74.

The Examiner is invited to contact Applicant's counsel if the Examiner believes that a telephone conference is necessary.

Respectfully submitted,

Date: February 19, 2008

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